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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,937	10/01/2003	Scott W. Keller	36400.63US1	7840
25541 7.	590 03/25/2005		EXAMINER	
NEAL, GERBER, & EISENBERG			PETRAVICK, MEREDITH C	
SUITE 2200 2 NORTH LASALLE STREET			ART UNIT	PAPER NUMBER
CHICAGO, IL	60602		3671	
			DATE MAIL ED: 03/25/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Application No.   Applicant(s)	<u> </u>							
### Deficiency   State   State	,	Application No.	Applicant(s)					
Meredith C Petravick   3671   Meredith C Petravick   Meredith C P		10/676,937	KELLER ET AL.					
Prior of the Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extractions of time may be available used the provisions of 3 CFR 1.196(a). In ro event, however, may a reply be timely filed after SIX (5) MONTH's time the maining date of this communication.  Extractions of time may be available used the provisions of 3 CFR 1.196(a). In ro event, however, may a reply be timely filed after SIX (5) MONTH's from the mailing date of this communication.  Extractions of the reply is specified above, the maximum statutory period will agrie yet will be catalitied to the provision of th	Office Action Summary	Examiner	Art Unit					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  after SIX (b) MONTHS from the making date of Pile communication.  after SIX (b) MONTHS from the making date of Pile communication.  If the period to reply specified above, the makinum stability prieds with apply within the statutory minimum of thinty (50) days will be considered timely.  If the period to reply specified above, the makinum stability prieds will apply six (b) MONTHS from the making date of the communication.  If the period to reply specified above, the makinum stability prieds will apply six (b) MONTHS from the making date of the communication. The specified above, the makinum stability prieds will apply six (b) MONTHS from the making date of the communication, even if timely fised, may reduce any carried patient term adjustment. See 97 CFR 1.704(b).  Status  1)								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Letteralize of tem rany be waited burden for providence of 37 CPR 1.35(a), in no event, however, may a reply be timely field  Letteralize of tem rany be waited burden for providence of 37 CPR 1.35(a), in no event, however, may a reply be timely field  Letteralize of the period for reply specified above, list less than thirty (30) days, a reply whilin the statutory priefed attack (50) (AUCHTS field the mailing date of this communication of the period to reply is specified above, the maximum statutory priefed all epoly and will expire (50) (AUCHTS field the mailing date of this communication, even if timely field, may reduce a try reply received by the Office later than three months after the mailing date of this communication, even if timely field, may reduce a try reply received by the Office later than three months after the mailing date of this communication, even if timely field, may reduce a try reply received by the Office later than three months after the mailing date of this communication, even if timely field, may reduce a try reply received by the Office later than three months after the mailing date of this communication, even if timely field, may reduce a try reply received by the Office later than the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.   Disposition of Claims  1)		ears on the cover sheet with the c	orrespondence address					
1) Responsive to communication(s) filed on	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any							
2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-5, 10-12, 15-17, 20-46 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are rejected.  7) Claim(s) is/are objected to.  8) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The drawing(s) filed on is/are: a) accepted or b objected to by the Examiner.  Application Papers  9) The drawing(s) filed on is/are: a) accepted or b objected to by the Examiner.  Application Papers  9) The objected to by the Examiner.  Application Papers  9) The objected to by the Examiner.  Application Papers  9) The objected to by the Examiner.  Application Papers  9) All objected to by the Examiner.  Application Papers  9) The objected to by the Examiner.  Application Papers  9) All b) Some of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (FCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of Pafepserson's Patent Drawing Review (PTO-948)  3) Notice of Informal Patent Application (PTO-152)  5) Notice of Informal Patent Application (PTO-152)  6) Other:	Status							
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152) 6) Other:	Attachment(s)							
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Paper No(s)/Mail Date 6) Other:								
	Paper No(s)/Mail Date	6)						

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## **DETAILED ACTION**

## Election/Restrictions

- 1. This application contains claims directed to the following patentably distinct species of the claimed invention:
  - a. Group I: The embodiment with a mower blade in Fig. 5.
  - b. Group II: The embodiment with a drive device in Fig. 2-4

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Claims 1 and 30 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meredith C Petravick whose telephone number is 703-305-0047. The examiner can normally be reached on M-T 8:00 a.m.- 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B Will can be reached on 703-308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Meredith C Petravick **Primary Examiner**

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